

REMARKS

This Response is filed concurrently with a Request for Continued Examination. On January 21, 2009, Applicant filed an Amendment After Final Rejection under 37 CFR § 1.116 which was clearly marked on the first page of the Response. The remarks therein are incorporated by reference herein.

Apparently, and according to PAIR, the previously filed Amendment After Final Rejection was entered by the USPTO as an Amendment filed with a Request for Continued Examination even though a Request for Continued Examination was not filed until the date of this current Response. As a result, the Amendment After Final Rejection was not forwarded to the Examiner for consideration and thus Applicant never received an Advisory Action.

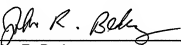
Thus, the Applicant is required to now submit a Request for Continued Examination and the required fees for a three-month extension of time.

Additionally, new claim 32 is filed herewith. Claim 32 patentably distinguishes over the cited references Matsuo and Clore, taken alone or in combination because nothing cited or found teaches "initiating a telephone call after the wait time has elapsed and requiring connection of the telephone call to a mobile device to execute the payment."

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
John R. Bednarz
Registration No. 62,168

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501